Remarks

Pending Claims

The Office Action Summary indicates that Claims 1-39 are pending. This assertion is not correct. Claims 4, 9, 11, 13, 15, 17, 19-21 and 24-33 were cancelled in the Preliminary Amendment filed on September 12, 2003. Claims 1-3, 5-8, 10, 12, 14, 16, 18, 22, 23, and 34-39 are pending in this application.

Amendments to Claims

Claim 5 has been amended to recite "an integrin antagonist that inhibits integrin-mediated cellular adhesion." Support can be found at, for example, page 2, lines 25-27 of the specification as originally filed.

Claim 6 has been amended to recite "said integrin antagonist inhibits cellular adhesion mediated through a β2 integrin." Support can be found at, for example, page 2, lines 25-27 of the specification as originally filed.

Claim 12 has been amended to recite "chemokine receptor function that inhibits binding of a chemokine to said chemokine receptor." Support can be found at, for example, page 11, lines 12-27 of the specification as originally filed.

Amendments to Specification

The "Related Application" paragraph of the specification has been amended to update the status of the parent application.

The specification has been further amended to include ® and ™ symbols, as appropriate.

Paragraph 1. Clarification to the elected species

The examiner stated on that "LFA-1 is a CD11a/CD18 integrin and LFA-1 is a β2 integrin" and invited Applicants to clarify the elected species.

In the Reply to the Restriction Requirement filed on December 20, 2006, Applicants elected an anti-CD18 antibody that inhibits binding of ICAM-1, as the species of first therapeutic agent, an anti-CCR2 antibody that inhibits binding of MCP-1, as the species of second therapeutic agent, and angioplasty as the species of vascular procedure.

A table is presented below showing the "CD" nomenclature and common names of the β_2 integrins. Each member of this family contains CD18, the β_2 chain. For the examiner's convenience, a copy of Plow *et al.*, "Ligand Binding to Integrins," *J. Biol. Chem.*, 275(29): 21785-21788 (2000) is provided with the Supplemental Information Disclosure Statement filed concurrently herewith. This minireview includes Table 1, which the authors describe as summarizing "the major extra cellular ligands of integrins; the listing is undoubtedly incomplete." (*id.* at 21785-86.)

β2 integrins	**Common Names**
CD11a/CD18	LFA-1, $\alpha_L\beta_2$
CD11b/CD18	MAC-1, $\alpha_M\beta_2$
CD11c/CD18	p150,95, $\alpha_X\beta_2$
CD11d/CD18	

Paragraph 5. Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1-16 and 18-39 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner invited Applicants to amend the claims to recite a testable functions supported by the specification as filed to obviate the rejection.

The claims have been amended in accordance with the Examiners suggestion, thereby obviating the rejection.

Paragraph 7. Rejection Under 35 U.S.C. § 103(a)

Claims 1-16 and 18-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,312,689 to LaRosa *et al.* (hereinafter "the '689 patent") and U.S. Patent Application No. 2002/0006401 A1 to Rogers *et al.* (hereinafter "Rogers") in further view of U.S. Patent No. 6,797,492 *et al.* (hereinafter "Daughterty") and Therapeutic Immunology, (Austen *et al.* (Ed.) Blackwell Science, Cambridge MA, 1996, pages 451-456) by Strom *et al.* (hereinafter "Strom").

Claims 4, 9, 11, 13, 15, 17, 19-21 and 24-33 were previously cancelled. It is understood that claims 1-3, 5-8, 10, 12, 14, 16, 18, 22, 23, and 34-39 have been rejected under 35 U.S.C. § 103(a).

The rejection is improper and should be withdrawn. Pursuant to 35 U.S.C. § 103(c), the '689 patent is not available as a reference for the purposes of a rejection under 35 U.S.C. § 103(a). The '689 patent is prior art only under 35 U.S.C. § 102(e)(2). As stated in the Statement of Common Ownership filed concurrently herewith, the present application and the '832 patent were commonly owned or subject to an obligation of assignment to the same person, at the time the claimed invention was made. Accordingly, the '689 patent is disqualified as prior art for the purposes of a rejection under 35 U.S.C. § 103(a).

In the interest of efficient prosecution, the Statement of Common Ownership filed concurrently herewith also establishes that the present application and U.S. Patent No. 6,352,832 B1 to LaRosa *et al.* (hereinafter "the '832 patent"), a continuation-in-part of the '689 patent, were commonly owned or subject to an obligation of assignment to the same person, at the time the claimed invention was made. Accordingly, the '832 patent is also disqualified as prior art for the purposes of a rejection under 35 U.S.C. § 103(a).

Paragraph 9. Rejection Under Judicially Created Doctrine of Obviousness-type Double Patenting.

Claims 1-16 and 18-39 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-5 of U.S. 6,663,863.

A Terminal Disclaimer, Statement under 37 C.F.R. §3.73(b), and the statutory fee are being filed concurrently herewith, obviating the rejection.

Supplemental Disclosure Statement

A Supplemental Information Disclosure Statement (SIDS) is being filed concurrently herewith. Entry of the SIDS is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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